

OP-22.23, "Statewide Protective Custody," August 1, 2008

SCDC POLICY/PROCEDURE

NUMBER: OP-22.23

TITLE: STATEWIDE PROTECTIVE CUSTODY

ISSUE DATE: August 1, 2008

RESPONSIBLE AUTHORITY: DIVISION OF OPERATIONS

OPERATIONS MANUAL: OPERATIONS

SUPERSEDES: OP-22.23 (November 1, 2006)

RELEVANT SCDC FORMS/SUPPLIES: 19-10, 19-20, 19-30, 19-32, 19-47, 19-52, 19-67, 19-69, 19-85, 19-87

ACA/CAC STANDARDS: 4-4249, 4-4251, 4-4253, 4-4254, 4-4257, 4-4258, 4-4259, 4-4260, 4-4262, 4-4264, 4-4267, 4-4268, 4-4271, 4-4273

PURPOSE: To outline management and administrative requirements related to the operation of a Special Management Unit (SMU) within the SCDC for the housing of inmates who have been identified as requiring Statewide Protective Custody (PC) or have protective concerns (SP).

POLICY STATEMENT: In order to maintain the safety and security of certain inmates who have been identified as requiring protection from the general inmate population, the SCDC will house those inmates designated as Statewide Protective Custody in a Special Management Unit apart from the general population. To promote good behavior and conformance with Agency rules and regulations, Statewide Protective Custody inmates will be provided privileges consistent with their assignment within the SMU. (4-4249)

1. PLACEMENT IN PRE-HEARING DETENTION WITH PROTECTIVE CONCERNS (SP): An inmate may be initially placed in SP for up to seven (7) days by the Warden/Duty Warden or an approved designee if:

- The inmate has requested protective custody; or
- The Warden/Duty Warden or approved designee has determined that the inmate is at risk and may require a higher degree of safety and security, and an investigation must be conducted to substantiate the inmate's need for protective custody. (4-4251)

2. INMATE REQUEST FOR PROTECTIVE CUSTODY:

2.1 When the Inmate Requests Protective Custody s/he will be interviewed by the highest supervisor on duty to determine the nature of the concern. The information will be documented in Section I of SCDC Form 19-47, "

2.2 If the inmate refuses to provide specific names and other pertinent information during this interview, this lack of information will be documented on SCDC Form 19-47, "Evaluation of Protective Concerns," and the inmate may be returned to general population. If the inmate refuses to return to general population, then SCDC policies/procedures pertaining to the use of physical force may be implemented. Inmates who do not comply will be managed by procedures set forth in SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System." (NOTE: Refer to 6.2 for further options with regards to refusal to return to general population.)

2.3 The interviewing official will be responsible for making a recommendation on the form as to his/her assessment of the inmates reason(s) for requesting protective custody housing. The interviewing official may either recommend that the inmate be returned to the general population or placed in "Pre-Hearing Detention with Protective Custody Concerns" (herein referred to as SP) for further investigation. The SCDC Form 19-47 will then be immediately forwarded to the Warden (or in his/her absence the Duty Warden or approved designee) for approval.

2.4 If placement in SP is approved by the Warden/Duty Warden, or approved designee the inmate will be transferred to available PHD bed space for a period of up to seven (7) calendar days for further investigation, and the SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," will be completed. The box labeled "Protective Concerns" will be checked. The SCDC Forms 19-47 and 19-67, will be forwarded to the Institutional Protective Custody Committee (IPCC) so that a review can be held within seven (7) working days of the inmates placement in SP to assess the inmates continued need to be separated from general population inmates at his/her institution. (4-4251)

3. WARDEN/DUTY WARDEN DETERMINES INMATE MAY BE AT RISK:

When the Warden/Duty Warden or approved designee has determined that the inmate is at risk and may require a higher degree of safety and security, an investigation must be conducted to substantiate the inmate's need for Statewide Protective Custody. The SCDC Form 19-47 will be completed by the Warden/Duty Warden or approved designee and the bottom portion of SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," will be used for involuntary placement of the inmate in SP. The box labeled "Protective Concerns" will be checked.

3.1 In some cases placement in Statewide Protective Custody may be approved by the Agency Director or the Director of Operations. The IPCC will convene for informational purposes to inform the inmate of his/her status.

Note: Should an inmate with protective custody concerns commit a disciplinary infraction while in SP, Agency inmate disciplinary system procedures will be followed. See SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System," for additional information. The inmate will continue in SP not to exceed seven (7) calendar days while the IPCC considers his protective custody concerns. Security staff will ensure

that special safety considerations, such as separation/segregation from other inmates, are afforded the inmate when recreating, when showering, and when participating in other out-of-cell activities.

4. PROPERTY: Inmates placed in SP will be afforded the same property and privileges as Security Detention Level II inmates. See SCDC OP-22.12, "Special Management Unit," for information on property and privileges for Security Detention Level II inmates.

4.1 Inmates deemed invalid PC will maintain the same property and privileges as Security Detention Level II inmates with the exception of one (1) walkman radio. No personal telephone calls or visitation will be allowed.

5. SEVEN (7) DAY REVIEW:

Inmates must be provided with a review within seven (7) calendar days of their initial placement in SP. The inmate will appear before the IPCC to justify or discuss his/her placement into Statewide Protective Custody housing. If placement in statewide protective custody is recommended, at least one (1) of the following elements must be established by the IPCC in order for the inmates request to be considered valid:

- record of having been assaulted;
- reputation among the population, attested to in writing by staff, as an informant or trial witness;
- verified threats, verbal abuse, or harassment;
- former police or criminal justice activity resulting in verified threats, verbal abuse, or harassment;
- conviction of crime repugnant to the inmate population; or
- reliable confirmed evidence of sexual assault. (4-4251)

6. IPCC ACTIONS:

6.1 Invalid Determination: An invalid determination is appropriate when the elements listed in Paragraph 5., above, are not validated by available evidence and/or testimony. If the IPCC believes that no further evidence may be found to support these elements, the IPCC will document their decision in Section II of SCDC Form 19-47, "Evaluation of Protective Concerns" and the inmate will be immediately returned to the general population. The inmate will be provided a copy of this form to document the disposition of the IPCC. (4-4251)

6.2 If the IPCC deems the inmate is invalid for PC placement and the inmate refuses to return to the general population the following options may be considered:

- Charge the inmate with 825, "Refusing or Failing to Obey Orders (Confer with the Hearing Officer to classify as a major charge);
- Double celling of invalid PC inmates, allows invalid PC inmates to be housed together after cell assignment form has been completed and inmates are deemed compatible;
- Take their mattress daily;

•Recreate invalid PC inmates in the same area together: and/or

6.3 Further Investigation: A finding of further investigation is appropriate when the IPCC believes that additional evidence or testimony may be necessary to determine whether or not the elements listed in Paragraph 5., above, are supported. If the IPCC deems that further investigation is required to make a determination as to the inmates request, the IPCC Chairperson will designate a Captain or higher authority to investigate the reasons given for protective custody. The investigating official will document his/her findings, and provide a written report back to the IPCC Chairperson within seven (7) working days. The investigative report (memorandum) will consist of:

6.3.1 An interview with the inmate requesting protective custody for the purpose of establishing the reason(s) for and the circumstances surrounding the request. At this time, a subjective assessment will also be made of any significant characteristics such as physical size, alleged threats, enemies, etc.

6.3.2 A review of the inmates record to identify factors which may support placement in Statewide protective custody, such as age, developmental impairment, enemies, evidence of threat, etc.

6.3.3 Interviews with other inmates or staff, if appropriate and necessary, to identify additional factors or validate any information.

6.3.4 The investigative report will be attached to SCDC Form 19-47, "Evaluation of Protective Concerns" and forwarded to the IPCC and a copy filed in the inmates institutional record.

6.3.5 Upon completion of the investigation, the IPCC will reconvene to further evaluate all facts found in the investigation. A decision as to the validity of the request will then be made by the IPCC and processed as described in Procedure 6.1, above, or 6.3, below.

6.4 Valid Determination: If the elements listed in Paragraph 5., above are present and are supported by available evidence and testimony, a valid determination is appropriate. If the IPCC finds the inmates protective custody concerns are valid, the Case Manager/Caseworker for the IPCC will create a Custody Review to notify State Classification (SCC) officials of their recommendation. In addition, the IPCC will document their decision on SCDC Form 19-47, "Evaluation of Protective Concerns " and will fax a copy of this form (along with the investigative report memorandum, if available) to SCC. The SCC will be responsible for final disposition of the request as described in Procedure 7., below. (4-4251)

7. SCC ACTIONS:

The SCC will immediately review the recommendation made by the IPCC, the SCDC Form 19-47, "Evaluation of Protective Concerns," and the investigative report and will either approve or disapprove the recommendation. Approvals/disapprovals will be processed as follows:

7.1 Invalid: The SCC officials will complete the Custody Review to notify the appropriate Case Manager/Worker of the disapproval. SCC officials will also be required to document their disapproval in Section III of SCDC Form 19-47, "Evaluation of Protective Concerns," and will fax a copy of this form to the appropriate Case Manager/Worker. A copy of SCDC Form 19-47 will be provided to the inmate. The inmate will then be immediately ordered to return to the general population. Should the inmate refuse to return to the general population, the same procedures outlined in Paragraph 6.1, above, will be followed.

7.2 Valid: The SCC officials will complete the Custody Review to notify the appropriate Case Manager/Worker of their approval and of appropriate transfer instructions concerning the inmate. The SCC officials may either indicate that:

- The inmates protective custody concerns are alleviated through transfer of the inmate to another institutions general population; or
- The inmate be assigned and transferred to the Special Management Unit (SMU) which has been designated by the Agency as the Statewide Protective Custody Housing Unit. (4-4251)
- Recommendations for assignment and transfer to the Agency's Statewide Protective Custody Housing Unit will be approved by the Division Director of Classification and Inmate Records by memorandum.

NOTE: At the discretion of SCDC officials, an inmate may be placed in SMU due to protective concerns even if the inmate signs a refusal of the same.

The SCC will be required to document their decision in Section III of SCDC Form 19-47, "Evaluation of Protective Concerns" and will forward the form back to ICC officials via fax. (NOTE: The SCC must complete this process within seven (7) working days of the receipt of the SCDC Form 19-47.)

8. NOTIFICATION TO THE INMATE OF PLACEMENT IN STATEWIDE PROTECTIVE CUSTODY: A copy of the completed SCDC Form 19-47 will be provided to the inmate.

9. APPEAL OF PLACEMENT IN PC: Inmates may appeal the decision of the SCC through the inmate grievance system. See SCDC Policy/Procedure GA-01.12, "Inmate Grievance System," for further information.

10. DOCUMENTATION: All mental health and medical review/screening notes will be maintained in the inmates medical record. All documents described below, and any other documentation kept on each inmate approved for placement in Statewide Protective Custody, will be maintained in the inmate's institutional record. These records will be maintained in a secured area outside of the SMU.

- A copy of the SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," and/or SCDC Form 19-47, "Evaluation of Protective Concerns," to document the reasons for the inmate's initial placement in PHD or SP;

- Any disciplinary report and/or disciplinary hearing records (SCDC Form 19-67, "Pre-Hearing Detention Placement/Extension," and SCDC Form 19-69, "Disciplinary Report and Hearing Record");
- Staff notes and comments, to include copies of SCDC Form 19-32, "Security Detention Daily Evaluation Sheet," and, if necessary, SCDC Form 19-85, "Alternative Meal Service," and SCDC Form 19-20, "Special Management Confiscation Report"; and
- Results of all IPCC reviews and State Classification approvals (SCDC Forms 19-30, 19-87, and 19-10).

11. IPCC REVIEW: For those inmates who have been approved for placement in Statewide Protective Custody housing, the following reviews will be applicable:

11.1 Seven (7) Day Reviews: The Institutional Classification Committee (ICC) will be required to review each inmate every seven days for the first two (2) months. The ICC will complete SCDC Form 19-30, "Special Management Unit Institutional Classification Committee Review," to document the seven (7) day reviews of the inmate. The inmate is not required to be present at this review. A copy of this form will be provided to the inmate and will be filed in his/her institutional record.

11.2 Thirty (30) day Reviews: The ICC will be required to review each inmate every 30 days after the first two months (4-4253). Inmates in Statewide Protective Custody will be reviewed in accordance with paragraphs 12.1 and 22 of this policy.

12. SCC SCHEDULED REVIEWS:

12.1 Within 180 days (or six (6) months) of an inmates placement in Statewide Protective Custody, and every 180 days thereafter, a representative from SCC will be required to make an on-site evaluation and review of each inmate housed in Statewide Protective Custody. The SCCs purpose will be to review the inmate and to determine whether s/he should be released and returned to general population housing. The SCC will be required to review the inmates record and to confer with unit staff, the inmate, and representatives of the ICC when formulating their decision to release the inmate.

12.2 The inmate will be provided with written notice of his/her scheduled SCC review within 48 hours of the review. SCC officials will be required to notify the ICC chairperson/designee of their scheduled visit at least 72 hours in advance and the ICC chairperson/designee will, in turn, be required to provide the inmate with such notice using SCDC Form 19-10, "Notice of Review/Hearing." The form must be signed by the inmate and will be filed in the inmates Institutional Record by the ICC chairperson/designee. All SCC reviews will be documented on SCDC Form 19-87, "State Classification Protective Custody Review." A copy of this form will be provided to the inmate and will be filed in his/her Institutional Record.

13. REVIEW FOR RELEASE FROM STATEWIDE PC:

If, after any scheduled Statewide Protective Custody Six Month Review or Annual Classification Review of the inmate, it is determined that the inmate is no longer at risk, the IPCC may convene to consider an inmate for release from Statewide Protective Custody. The Case Manager/Worker will create a Custody Review to notify SCC officials of the ICC's recommendation. Upon receipt of the Custody Review and appropriate

documentation the SCC will review the ICC's recommendation. (4-4254) Appropriate documentation is as follows:

- A copy of the completed committee docket;
- a copy of the SCDC Form 19-30, "SMU Institutional Classification Committee Review;
- written request from inmate requesting release from Statewide Protective Custody and;
- any and all other pertinent documentation, (i.e. investigative reports, summations), supporting release from Statewide Protective Custody.

13.1 SCC Disapproval: If the SCC disagrees with the ICC's recommendation for release from Statewide Protective Custody, the custody review will be closed and the completed Form 19-47 will be forwarded to the Case Manager/Caseworker for distribution to the inmate.

13.2 SCC Approval: If the SCC agrees with the ICC's recommendation for release from SPC, a memorandum recommending release will be forwarded through the Assistant Director of State Classification to the Division Director of Classification and Inmate Records and the Division of Operations for concurrence.

13.3 Disposition of Review: Final disposition will be provided to the appropriate Case Manager/Caseworker upon completion of the Custody Review and return of the completed Form 19-47. The Case Manager/Caseworker will be required to provide the inmate with a copy of the completed Form 19-47. Should the inmate be released from SPC status, the SCC will provide the Case Manager/Worker with appropriate general population housing instructions for the inmate. (NOTE: Inmates who refuse to return to the general population will be managed by procedures set forth in Agency Policy/Procedure OP-22.14, "Inmate Disciplinary System.")

14. HOUSING REQUIREMENTS: Inmates placed in Statewide Protective Custody status will be housed together in a SMU dorm or on a wing segregated from all other inmates. SWPC inmates will be single celled, but may be double celled with other SWPC inmates with approval by the Division Director of Operations. The food flap or outer cell door will remain open from 6:00 a.m. until 9:00 p.m. unless, based on an inmates behavior or security concerns, a Lieutenant or higher authority deems it necessary to be closed. No other inmates, including maintenance inmates, will be allowed on the SPC wing. At no time will a SPC inmate be in the area of other inmates. When it is necessary to escort a SWPC inmate to another area of the institution, it is imperative that extreme caution be used.

14.1 If deemed necessary, an inmate in Statewide Protective Custody can be placed in the MSU as follows:

- If reduced to Security Detention resulting from a classification action; or
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- If given disciplinary detention time through a Disciplinary Hearing.

Note: While in MSU, the inmate will be granted privileges and appropriate property commensurate with his Security/Disciplinary Detention status. Upon completion of the Disciplinary Detention, the inmate would be

returned to the Statewide PC Unit. If in Security Detention advancement was recommended by the Institutional Classification Committee and approved by the Warden, the inmate would be returned to the Statewide PC Unit.

15. RULES VIOLATIONS: All statewide protective custody inmates found guilty of rules violations will be disciplined in accordance with SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System." (Cell restriction, loss of privileges, etc., may be given by the institutional disciplinary hearing officer.) Statewide protective custody inmates who become a disciplinary problem and require placement on Security Detention (SD) status, or who receive Disciplinary Detention (DD) resulting from a conviction of a disciplinary hearing, may remain in the Statewide Protective Custody unit in his/her current cell. Both doors will be secured and privileges will be determined by the SD level in accordance with SCDC Policy/Procedure OP-22.12, "Special Management Unit." If it is determined that the inmate cannot be safely managed in the PC unit, then, and only then, would this inmate be moved to or be considered as a candidate for the maximum security unit, as stated in Section 14.1.

16. SECURITY CHECKS:

16.1 Correctional officers assigned to Statewide Protective Custody housing in the respective SMU will be required to conduct security rounds and to periodically observe inmates at least every 30 minutes on an irregular schedule. Rounds will be recorded in either a Log Book, cell check log or, if utilized, by electronic security check system. (4-4257)

16.2 At a minimum, the senior correctional officer supervisor in charge of the SMU/Statewide Protective Custody unit will be required to make daily visits and rounds of the SMU/Statewide Protective Custody unit to ensure the health and well-being of inmates assigned to the same. These visits will be recorded in the unit logbook. (4-4258)

17. SMU PERMANENT LOGBOOK

The officers assigned to Statewide Protective Custody housing within a SMU will be responsible for recording in the SMU permanent logbook all routine and unusual events not documented on SCDC forms referenced in this policy/procedure. The log will also be used to record all visits by officials who inspect the unit or provide other program services. (4-4260)

18. DAILY INMATE EVALUATION SHEET:

Security staff assigned to Statewide Protective Custody will be responsible for conducting daily cell inspections and for completing SCDC Form 19-32, "SMU Detention Daily Evaluation Sheet," on each inmate assigned to the SMU/statewide protective custody unit. This form will be used to record information and evaluate the behavior of inmates assigned to the SMU/statewide protective custody unit. Staff will be required to complete the required sections of this form daily. The inmate will be given a check mark for appropriate behavior and a zero ("0") for any inappropriate behavior that is observed. (The only exception to

these marks are to the areas for recreation and diet. See below [Procedures 18.8 and 18.9] for instructions on the marks that will be used.) At a minimum, the following behavior will be observed and evaluated:

18.1 Bed: Inmates will be required to keep the pillowcase on the pillow and the pillow on the bed. One (1) sheet will be used to completely cover the mattress and will be tucked under all sides of the mattress. The second sheet (and blanket if issued) will be spread on the bed or folded neatly and placed on the bed.

18.2 Walls/Door/Floor: Inmates will keep their cells clean. Inmates will not attach/affix any items to walls, door, bars, or ceilings. Outer cell doors and pass-through flaps will remain open from 6:00 A.M. to 9:00 P.M., unless security issues are involved. Inmates will keep their cell floors clean and free of trash. Inmates are expected to maintain the cell's cleanliness throughout the day. Cleaning supplies/tools will be provided to inmates as needed to clean their cells.

18.3 Toilet: Inmates will keep their toilet and lavatory clean and flushed at all times.

18.4 Laundry: Inmates will turn in their laundry (clothing, sheets, towels, and blankets) on schedule.

18.5 Neatness: Inmates will wear clean clothes and will dress as neatly as possible.

18.6 Promptness: Inmates are expected to comply with the schedule and orders in a prompt manner.

18.7 Respectfulness: Inmates are expected to conduct themselves in a respectful manner when addressing staff members.

18.8 Recreation: Inmates are expected to act appropriately during their recreation time. On those days that out-of-cell recreation privileges will be provided, security staff will contact each inmate to determine if s/he wishes to participate in recreation. The inmates decision will be recorded on the SCDC Form 19-32, "SMU Detention Daily Evaluation Sheet." If the inmate declines, the form will be marked with the letter "D." If the inmate elects to participate, the form will be marked with a check mark. If the inmate is denied recreation due to inappropriate behavior, the form will be marked with a zero ("0") and a unit supervisor must initial by the check. If outdoor recreation is not afforded due to inclement weather, then the form will be marked with the letter "W." An inmate's decision to/not to participate is final and may not be changed at a later time.

18.9 Diet: Inmates are provided three (3) meals per day. Each inmate's consumption of food will be monitored by placing an "A" for all food consumed, a "P" for partial food consumed, and a zero (0) for no food consumed each day.

18.10 Grooming/Shower: Inmates in an SMU/statewide protective custody unit will be afforded a haircut and will be expected to maintain compliance with SCDC Policy/Procedure OP-22.13, "Inmate Grooming Standards." Inmates will be expected to shower when scheduled and to remain clean.

A copy of the SCDC Form 19-32, "SMU Detention Daily Evaluation Sheet," will be filed in the inmates institutional record for at least six (6) months or until the next scheduled review by the SCC, whichever comes first. The original SCDC Form 19-32 will be maintained in the SMU.

19. **RESTRAINTS:** Statewide protective custody inmates will not normally be restrained; however, they may be restrained for a bona fide reason authorized by a Shift Lieutenant or above, i.e., transportation. Statewide protective custody inmates who are placed in Security Detention (SD) or Disciplinary Detention (DD) status will be restrained in accordance with SD requirements.

20. **TRANSPORTATION OUTSIDE THE INSTITUTION:** Inmates assigned to Statewide Protective Custody are not to be transported by SCDC Central Bus System. Rather, all such inmates are to be transported via SCDC van or vehicle. (Refer to SCDC Policy/Procedure OP-22.10, "Transportation of Inmates Outside the Institution.")

21. **SELECTION/TRAINING OF STAFF MEMBERS:** Only highly motivated and dedicated security personnel will be selected to work within Statewide Protective Custody. The selected security personnel will be trained in the essential skills needed to work in and cope with the pressure and stress associated with a segregation unit. SMU personnel will normally serve 18 months in the SMU, but may not exceed a maximum of 24 months. Any tour in the SMU that will exceed 18 months must be approved in writing by the Division Director of Operations. Each Warden will be required to maintain a roster of SMU employees showing their length of service in Statewide Protective Custody. This roster must be forwarded to the Division Director of Operations on a quarterly basis (January, April, July, and October). Once an officer has been rotated out of SMU to a comparable position within the institution, s/he should not be re-assigned to any SMU for a minimum of one (1) year. (4-4259)

22. **CLASSIFICATION CASEWORKER:** Classification Services: Caseworkers assigned to SMU will be responsible for making at least one monthly visits to inmates assigned to Statewide protective custody in order to talk with inmates and respond to questions they may have regarding time and sentence calculations, etc. Interim assessment and annual reviews by the ICC of the inmate's status will also be conducted. (4-4261)

23. **EARNED WORK CREDITS (EWCS)/INCENTIVE PAY/EARNED EDUCATIONAL CREDITS (EECS):** Every effort will be made for inmates on statewide protective custody to be given meaningful work while housed in the statewide protective custody housing unit. Those who work will be given Earned Work Credits at Level 7/5 days per week and in accordance with SCDC Policy/Procedure OP-21.07, "Earned Work Credits."

24. **PROGRAMS:** Inmates in statewide protective custody will be allowed access to meaningful programs and services. Statewide protective custody inmates will, to the extent possible consistent with safety and security limitations, be afforded programs comparable to those afforded general population inmates. Members of the programs staff will be available upon the inmates request. (4-4258, 4-4273)

25. RELIGIOUS PROGRAMMING: Individual requests to see a Chaplain will receive prompt response. All religious programming will be in-cell. (4-4258, 4-4273)

26. MEDICAL CARE: Qualified health care personnel will be required to visit the statewide Protective Custody Unit daily, unless medical attention is needed more frequently. Dental Services will be available to Statewide protective custody inmates as needed. Inmates should submit an SCDC 19-11, "Inmate Request to Staff Member," indicating that dental services are needed, and an appointment will be scheduled. Dental emergencies occurring after regular hours will be handled in accordance with institutional procedures. All statewide protective custody inmates will receive medical attention and/or medication as needed in accordance with Agency health services policies and procedures. (4-4259)

27. MENTAL HEALTH:

27.1 All inmates who have been housed in Statewide Protective Custody for more than 30 days will be assessed by a qualified mental health care professional. This assessment will be documented in the inmates medical record (in the "Sick Call" Notes section). By the 25th of each month, the Institutional Classification Caseworker will be required to provide mental health professionals with a list of all inmates requiring review during the next month.

27.2 Inmates remaining on Statewide Protective Custody past one (1) month will be required to be assessed every three (3) months by a qualified mental health care professional. This assessment will be documented in the inmates medical record (in the "Sick Call" Notes section).

27.3 Mental health care professionals will immediately notify medical staff of the need for any mental health treatment for assessed inmates and a treatment plan will be developed and implemented by medical/mental health care staff for the inmate, if necessary. (4-4256)

28. ACCESS TO LEGAL MATERIALS: Inmates will have access to legal materials and to available legal reference materials. (Refer to SCDC policies/procedures regarding access to the courts for more detailed information.) (4-4268)

29. RECREATION: Inmates will be afforded out-of-cell recreation privileges five (5) days per week, a minimum of two (2) hours per day, weather permitting or unless safety and security reasons dictate otherwise. Recreation hours may be extended beyond two (2) hours, with the approval of the Warden. If an inmate chooses not to participate in recreation, it will be documented in the units logbook. An inmates decision is final and may not be changed at a later time. Statewide protective custody inmates will be recreated as a group unless there is a need to recreate certain inmates individually. (4-4273)

30. SMOKING: Inmates WILL NOT be allowed to smoke or have matches, lighters, tobacco products, or other smoking devices and paraphernalia.

31. VISITATION: Inmates will be allowed at least four (4) contact visits per month, up to two (2) hours in length each visit. Refer to SCDC Policy/Procedure OP-22.09, "Inmate Visitation," for specific procedures related to statewide protective custody visitation. (4-4267)

32. CORRESPONDENCE PRIVILEGES: Statewide protective custody inmates will be allowed to send and receive mail daily in accordance with SCDC Policy/Procedure PS-10.08, "Inmate Correspondence Privileges."

33. PERSONAL TELEPHONE CALLS: One (1) personal call will be afforded inmates each day. (4-4271)

34. LEGAL TELEPHONE CALLS: Verified calls to attorneys will be allowed as needed.

35. CANTEEN PURCHASES: All inmates in statewide protective custody will be allowed to have canteen privileges, and expenditures will be limited to \$75.00 per week. Only authorized items, approved by the Warden, will be allowed for purchase. Should canteen privileges be abused or the inmate is found guilty of a rules violation, these privileges can be suspended.

36. E. H. COOPER TRUST FUND: Inmates will be allowed access to their E.H. Cooper Trust Fund to send monies to a legitimate church for the purpose of tithing or to send to an approved visitor included on the inmates visiting list. Refer to SCDC Policy/Procedure OP-22.09, "Inmate Visitation," for information regarding approved visitors and existing SCDC policies/procedures as it relates to E.H. Cooper Trust Fund for additional information.

37. PROPERTY: In order to assist correctional personnel working in the statewide protective custody housing unit, an SCDC Form 19-52, "Statewide Protective Custody Cell Card," will be completed for each inmate and affixed to the cell door or cell front. The color-coded card will indicate the inmates Statewide Protective Custody status and any pertinent information. The following property items will be authorized for inmates housed in Statewide Protective Custody status:

AMOUNT	ITEM
three (3)	clean uniforms (exchanged on laundry days);
three (3)	pairs of socks
three (3)	pair of under shorts (females will be allowed three (3) bras and three (3) pairs of underpants)
three (3)	t-shirts
one (1)	toothbrush

one (1)	tube of toothpaste
one (1)	small comb (females may also have one brush)
one (1)	bar of soap
one (1)	deodorant
two (2)	sheets
one (1)	blanket (during winter months)
one (1)	pillow
one (1)	mattress
one (1)	roll of toilet tissue
four (4)	books or magazines (can be from Library Services or personal must come from publisher and be received in the mail in accordance with SCDC Policy/Procedure PS-10.08, "Inmate Correspondence Privileges")
one (1) at a time (after first newspaper must turn in one [1] to receive one [1])	newspaper (must come from publisher and be received in mail in accordance with SCDC Policy/Procedure PS-10.08, "Inmate Correspondence Privileges")
one (1)	religious books (Bible or Qur'an) and materials necessary for the practice of the inmates religion that do not violate the security of the institution (See SCDC Policy/Procedure PS-10.05, "Inmate Religion.")
twenty (20)	personal letters
three (3)	photographs (up to 8" by 10" in size)
two (2)	towels
two (2)	washcloths

one (1)	radio (walkman type) and one (1) set of batteries (to be exchanged on a one-for-one basis)
one (1)	pair of shower shoes
one (1)	pair of tennis shoes (state-issued)
one (1)	fan (at non-air-conditioned institutions only)
as appropriate	females in statewide protective custody will be issued feminine hygiene products as required

Note: If an inmate refuses personal mail or refuses to turn in one book/magazine to get another book/magazine that has arrived, a correctional officer will document this refusal in the SMU permanent logbook and will ensure that another employee witnesses the refusal by signing his/her name by the entry in the SMU permanent logbook. The refused item will be processed pursuant to SCDC Policy/Procedure OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

38. **UNAUTHORIZED PROPERTY:** Inmates will NOT have metal fasteners of any type, i.e., paper clips, etc. Inmates will NOT have typewriters, televisions, cigarettes, cigarette rollers, lighters, ice chests, personal coffee pots, cosmetics, lamps, single outlet drop cords, instruments (of any type), or ash trays. No property other than that which is authorized in Procedure 37., above, will be allowed unless approved in writing by the Warden.

39. **GROOMING STANDARDS:** Inmates will be required to comply with agency grooming standards. Barbering services will be provided twice a month. Inmates will not be allowed to grow or style their hair in any manner other than that authorized in OP-22.13. Inmates may be given forced haircuts or shaves if they refuse to comply with the haircut and shave policy. Forced haircuts or shaves are considered a use of force and must be videotaped pursuant to SCDC Policy/Procedure OP-22.01, "Use of Force." Statewide protective custody inmates may purchase hygiene supplies from the canteen. However, for those inmates without funds, necessary hygiene supplies will be provided by SCDC. Inmates will be afforded the opportunity to shower five (5) times per week. Inmates will be provided laundry services at least two (2) times per week. (4-4262, 4-4263)

40. **MEALS:** All inmates in statewide protective custody status will receive normal institutional meals (full regular diets) unless a physician/dentist prescribes otherwise. The preparation and serving of food will be closely supervised. Coffee will be allowed and will be served with breakfast meal only.

41. **ALTERNATIVE MEAL SERVICE:** The alternative meal service will be imposed upon the inmate for the following violations:

- refusing to return food tray, cup, or utensils;
- throwing food, food tray, cup, or utensils;
- collecting or throwing human waste or any unidentified substances by way of tray, cup, or utensils;
- refusing to return uneaten food;
- interfering with the feeding of any meal; or,
- collecting, smearing, throwing, or otherwise exposing an employee to feces, urine, blood, or any other bodily fluid in any manner.

In such cases, the inmate will be charged with a disciplinary per SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System," and may be served Nutri-loaf. See SCDC Policy/Procedure OP-22.12, "Special Management Unit," for additional information on use of the Alternative Meal Service. (4-4264)

42. **DAMAGE, DESTRUCTION, AND/OR MISUSES OF PROPERTY:** In such cases, the inmate will be charged with a disciplinary per SCDC Policy/Procedure OP-22.14, "Inmate Disciplinary System." In addition, inmates may be required to make restitution for the damaged/destroyed item pursuant to SCDC Policy/Procedure ADM-15.01, "Repayment of Costs by Inmates."

43. **USE OF CONTROL CELLS:** Inmates in Statewide Protective Custody who are a threat to self should be referred to the Mental Health Provider (MHP) (if on duty) or to Medical Staff (if the MHP is not on duty) in accordance with HS-19.01, "Placement of Inmates in Crisis Intervention Status."

43.1 The Warden, Duty Warden, or Major may place an inmate in a control cell for up to 72 hours when the inmate:

- is a threat to others by his/her actions;
- is deliberately causing damage to the cell;
- is using items in the cell to cause damage to the cell or any part of the cell's facilities; and/or
- is using items in the cell to disrupt operations in any manner.

43.2 The SMU Supervisor will ensure that regular checks are conducted as required by Paragraph 16.1, above, of this policy/procedure. The Shift Captain will ensure that the inmate is reviewed at 24 and 48 hours for possible release from the control cell. The only items that the inmate will be allowed to have in the control cell will be:

- one (1) pair of underwear;
- one (1) security blanket.

43.3 All other property will be placed in a duffel bag, inventoried, and secured in accordance with SCDC Policy/Procedure OP-22.03, "Authorized Inmate Property and Disposition of Unauthorized Property."

43.4 The inmate will be released from the control cell when the Warden, Duty Warden, or Major determines the inmate is demonstrating compliance with institutional rules.

43.5 Additionally, the Warden, Duty Warden, or Major may keep any and all property as necessary to protect against further damage to state property for an additional 72 hour period.

44. DEFINITIONS:

Administrative Segregation refers to a form of separation from the general population administered by the Classification Committee or other authorized group when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly operation of the institution. Inmates pending investigation for trial on a criminal act or pending transfer may also be included. SCDC uses Special Management Units for Administrative Segregation.

Alternative Meal Service (Nutri-loaf) refers to a food product (in the form of a loaf) which provides and meets requisite dietary needs and requirements and is provided to inmates in place of regular meals under limited circumstances approved by the Warden/designee and qualified medical officials.

Disciplinary Detention refers to a form of separation from the general population in which inmates committing serious violations of conduct regulations are confined pursuant to OP-22.14, "Inmate Disciplinary System."

Institutional Protective Custody Committee (IPCC) refers to the decision making body for all reviews for initial placement in pre-hearing detention due to protective concerns (SP). The committee will be responsible for gathering all relevant information regarding the inmate's placement in SP, to include a documented investigative report to substantiate the inmate's protective concerns. Upon compilation of all necessary data, the IPCC will submit their findings to the Warden. The IPCC will be chaired by an Associate Warden or Major. In addition to the Chair, the IPCC at a minimum will consist of a one Classification Case Manager or Caseworker assigned to the Unit, and a qualified medical or mental health professional (optional).

Institutional Classification Committee (ICC) refers to the decision making body for institutional custody decision. The ICC is responsible for reviewing all pertinent documentation provided by the IPCC when evaluation requests for protective custody unit placement by the inmates in SP. The ICC is responsible for submitting all pertinent information to the State Classification Committee (SCC) for review and final disposition. The ICC at the Agency's Statewide Protective Custody Unit is responsible for subsequent scheduled reviews and recommendations regarding the inmates' Statewide Protective Custody status. They can recommend release of an inmate from Statewide Protective Custody.

The ICC will be composed of the following:

- Classification representative (one [1] Classification Case Manager or Caseworker assigned to the unit);
- Other security staff member within the SMU; and/or
- Qualified medical or mental health care professional (available to the ICC as needed/required).

Meaningful Programs refers to organized supervised programs, including but not limited to, exercise, educational courses, and certain work programs.

Pre-Hearing Detention (PHD) refers to the temporary placement of an inmate charged with, or suspected of, a disciplinary violation in designated cells of a Special Management Unit by the Warden/Duty Warden or an approved designee if the inmate falls into one of the following categories:

- the inmate is a current escape risk;
- the inmate's presence in the population would create a threat to the safety, security, and/or order of the institution;
- it is necessary to maintain the integrity of an investigation, i.e., to preserve the integrity of information either in the inmate's possession or another inmate's possession; or
- the inmate is a threat to the physical safety of other inmates or staff; or
- there are protective concerns for the inmate.

Qualified Medical Professional, for the purpose of this policy/procedure, refers to a physician, physician's assistant, LPN, RN, nurse practitioner, or mental health care professional.

Qualified Mental Health Professional refers to staff assigned to the Division of Mental Health Services who provide mental health services to inmates housed in SCDC institutions. Mental Health Professionals are normally referred to as Clinical Correctional Counselors within the institution (as well as psychologists in designated areas), but may also be referred to by their official State Classification System title, i.e., Human Services Specialist II, Human Service Coordinator I and II, or Licensed Psychologist.

Security Detention refers to the placement of an inmate who meets approved criteria in a special management housing unit (SMU) for an indeterminate time period.

Security Detention (SD) "Levels" refers to a series of two (2) degrees of control applied to the management of inmates housed in security detention status, as follows:

- Security Detention Level I refers to the strictest degree of custody and control. Assignment to Security Detention (SD) Level I status comes as a result of a demonstrated propensity for violence and/or unwillingness to conform to standards for behavior in SD-Level II. Additionally, inmates involved in an assault on any staff member or inmate, escape with force, or any escape from a Level III institution will be initially assigned to this SD-Level. While in this status, inmates will be managed with extreme caution and afforded only essential accommodations.
- Security Detention Level II refers to the entry status for assignment to security detention (with the exception of those conditions listed above in SD-Level I that require an inmate to enter security detention in SD-Level I status). Inmates in SD-Level II must remain compliant with published rules and will be afforded a limited opportunity for less restrictive recreation, visitation, and other incentive opportunities.

Special Management Unit (SMU) refers to the separation of an inmate from the general inmate population in a structured environment for the purpose of maintaining the safety of staff and inmates; ensuring the security and order of the facility; maintaining the integrity of an investigation; or ensuring an inmate's safety through protective custody measures. Generally, Special Management Units (SMU's) will house Disciplinary Detention, Pre-Hearing Detention, and Security Detention inmates. (NOTE: Other categories may be

included as they are phased-in and made operational.)

State Classification Committee (SCC) refers to those officials assigned to the SCDC Central Office responsible for the statewide management of bed space.

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Jon Ozmint, Director

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